

Opening Statement of Wynn Timer, Director  
V.I. Bureau of Corrections  
Committee on Finance  
33<sup>rd</sup> Legislature of the Virgin Islands  
July 8, 2020

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Good morning, Chairman Violet, distinguished Members of the Committee on Finance, other distinguished Members of the 33<sup>rd</sup> Legislature of the Virgin Islands, and our listening and viewing audience.

I am Wynn Timer, Director of the Virgin Islands Bureau of Corrections. It is my privilege to appear before you today to present Governor Albert Bryan's Fiscal Year 2021 Proposed Executive Budget ("2021 Budget") for the Bureau of Corrections ("Bureau"). Please allow me to introduce the Bureau's management team who are with me today to help respond to any inquiries that may fall within their areas of responsibility:

Riel Faulkner, Assistant Director for Administration & Compliance

Everett Hansen, Assistant Director for Operations (Criminal Justice Complex – STT)

Kelvin Vidale, Legal Counsel

Dr. Linda Callwood, Medical Director

Dr. Celia Victor, Health Services Administrator

Phillis Hodge Gumbs, Human Resources Manager

Cathy Munro, Fiscal Manager

Peter Abrahams, Program & Grants Manager

Jacqueline Adonis, Training Administrator

Juan Peña, Warden (John Bell Adult Correctional Facility – STX)

Chief Errol Browne (John Bell Adult Correctional Facility – STX)

Anthony Hector, Chief Inspector

Loretta Laurent, Disaster Recovery Specialist

Geraldine Vaval, Quality Assurance Manager

Ray Walker, Facility Manager

Winthrop Maduro, Public Information Officer

### Overview

The 2021 Budget reflects a dramatically changed fiscal landscape. When Bureau managers first met in January to plan budget priorities, COVID-19 was a relatively unknown illness – half a world away – with little bearing on the Virgin Islands economy. What a difference the last four months have made!

The financial upheaval caused by COVID-19 means that the Bureau had to restructure its priorities, postpone certain projects, and thoroughly scrutinize all expenditures. Despite these challenges, the Bureau was well-positioned to adapt and transition when COVID-19 hit because of several critical initiatives that we began last year – including video visitations, telemedicine, electronic health records, and video court appearances. Planning and foresight – and a commitment to modernizing the Bureau – made it possible to better weather the COVID-19 storm.

But that storm has destroyed revenue projections and has devastated Virgin Islands finances. Our budget reflects this new reality. The Bureau's 2021 Budget has been reduced 13.5%, from \$34.4 million dollars this year to \$29.7 million dollars next year – a savings of approximately \$4.7 million dollars.

For fiscal year 2021, the Bureau must be prepared to carry out its mission objectives with significantly fewer resources. No doubt, this will be a challenge. But it is a challenge that the dedicated professionals of the Bureau of Corrections must be prepared to meet.

Personnel costs are the Bureau's biggest expense. For fiscal year 2021, the Bureau has 188 authorized positions. The Bureau's projected payroll for the upcoming fiscal year is \$10,663,623 or 35.9% of its overall budget – which is down from 42.6% this year. Fringe benefits for its employees amount to \$5,016,642, or 16.9% of the Bureau's projected Budget. For the 2021 Fiscal Year, then, employee payroll and fringe benefits account for roughly 52.8% of the Bureau's budget – a 7% reduction from this year.

Correctional officers make up 55% of the Bureau's staff. They are where the rubber meets the road. They do the grueling, difficult work needed to keep the public and inmates safe. Because they work out of public view in prisons and jail, their work is often underappreciated. But consider what it takes to safely secure and supervise inmates from all walks of life, some homeless, some with serious mental illnesses, others who are habitual offenders, and some who have never been compelled to follow a rule or order one day in their lives. Society owes these unsung heroes an enormous debt of gratitude. And we need more of them.

The Constitution requires that our prison and jail be adequately staffed for the protection of inmates. Therefore, the Bureau has no choice but to maintain its aggressive efforts to recruit and retain an adequate number of correctional officers, notwithstanding the fiscal climate. We anticipate that correctional officers will continue to be hired as they become available using critical hiring funds from the Office of Management and Budget ("OMB").

Another way to increase staffing would be to allow retired correctional officers to return to work in auxiliary roles for 2 years – while continuing to receive their GERS pensions without

incurring a penalty. Police officers, teachers, and nurses now enjoy this privilege under existing law. 3 V.I.C. § 755. On March 3, 2020, the Bureau submitted a bill proposal to the Committee on Homeland Security, Justice, and Public Safety that would change existing law to include correctional officers. We look forward to this body's favorable consideration of that measure.

### Overtime

Overtime costs continue to be a challenge for the Bureau, a consequence of the chronic staff shortages. In 2019, the Bureau incurred \$3.8 million in correctional officer overtime. This year those same costs are slightly lower. Compared to the same time last year, our correctional officer overtime is down 7.7%, down from \$2.84 million to \$2.62 million for the first 3 quarters of the fiscal year. The most obvious solution to reducing overtime at this time is to hire more correctional officers. But despite aggressive recruitment, the Bureau has found it challenging to bring new correctional officers onboard at a pace that would pay the greatest dividends. This fiscal year, the Bureau has thus far hired 2 correctional officers on St. Croix and 3 on St. Thomas.

We are cautiously optimistic that with so many people seeking employment, we will have a higher number of correctional officer applicants this year than in previous years. In fact, for the correctional officer exam that will be held two weeks from now, 28 eligible applicants have registered for the exam on St. Thomas, and 48 have registered to take the exam on St. Croix. Plus, because of their educational or military backgrounds 6 eligible applicants on St. Thomas have qualified to waive the exam requirement, and 2 on St. Croix. This is the largest number of correctional officer applicants to have registered for the exam in recent memory.

We are also working with the Division of Personnel ("Personnel") to improve the passage rate for the correctional officer exam by offering free exam study guides to all eligible

candidates. We have identified up to 70 applicants who recently took the exam but did not pass; we have encouraged them to apply to retake the test and have given them the free study guide. I have also collaborated with the Commissioner of Labor to work with his department's Division of Workforce Development to implement the practice of regularly promoting correctional officer careers to eligible job seekers who were recently displaced by COVID-19. We will be formalizing this new initiative in conjunction with the Department of Labor in the coming weeks.

We are continuing to recruit aggressively by posting correctional officer openings on online employment sites like Indeed.com<sup>®</sup>; participating in local job and career fairs; and advertising on local media. We have also begun listing correctional officer job openings on the Division of Personnel website as available year round, except for the 3-week period preceding an exam.

The Bureau is also addressing the issue of correctional officer overtime by carefully monitoring leave usage. I have instructed correctional supervisors that all non-essential leave requests must be carefully vetted before they can be granted. All requests for correctional officer overtime must now be approved by the Warden in consultation with me.

Finally, the Bureau was forced to adapt to new and exigent circumstances once Governor Bryan declared a COVID-19 state of emergency in March 2020. We concluded that the best way to address this emergency, and provide the greatest operational coverage, was to implement 12-hour shifts for correctional officers. Incidentally, overtime costs have dropped during the COVID-19 state of emergency.

### Vendor Payments and Consent Decree Compliance Costs

Vendor payments account for the largest slice of the Bureau's budget after payroll and fringe benefits – 42.25%. These are payments to third parties who provide critical services to the Bureau and its inmates. The largest portion of vendor payments goes to house and feed off-island prisoners. That amount is budgeted to be \$7.43 million, which is 59% of all vendor payments, and 25% of the Bureau's total budget. But this amount does not include health care costs for off-island inmates, which can add millions more to the overall cost.

Sending inmates to off island mental health facilities is very expensive. The Bureau is legally required to house inmates with serious mental illnesses at mental health facilities that offer an elevated level of care. Presently, there are no such facilities in the Virgin Islands. The Bureau (and the V.I. Department of Health) must therefore pay to have mentally ill inmates treated at Wellpath (formerly Correct Care) in Columbia, South Carolina. It costs the Bureau roughly \$437.00 per inmate per day for this care. That's \$159,505.00 per year for each inmate – or more than twice the cost of a four-year college degree from the University of the Virgin Islands.

As of June 30, the Bureau houses 206 inmates locally – 70 at CJC and 136 at John Bell. These numbers fluctuate daily. Of the inmates housed locally, 197 are male and 9 are female. In addition, the Bureau houses 180 inmates off-island at facilities in Florida, Virginia, and South Carolina.

In August and September 2019, the medical director, a delegate from the territory, and I visited our inmates in Virginia and Florida to ensure that they were being properly treated and to respond to their concerns. Some of these inmates had not received a visit from the Bureau in more than 8 years. Although we had planned to visit our inmates in South Carolina this April,

that visit had to be canceled because of the coronavirus lockdown. We intend to reschedule that visit to Wellpath when in-person visits resume at that facility.

All 386 prisoners in Bureau custody – including those housed off-island – must be fed, housed, transported, and cared for at the Bureau’s expense. It is critical, therefore, that the Bureau find ways to drive down those costs.

a. Moving Food Service In-house to Reduce Costs & Improve Quality

Food service is one area where we expect to realize significant cost savings. In April 2020, the Bureau met with outside consultants, The Strategy Group (“TSG”), to analyze how it could streamline its operations and reduce costs. This study was undertaken as part of the agency reform plan mandated by the Governor in March 2020 and spearheaded by the OMB.

The TSG study found that the Bureau could realize substantial costs savings while improving menu offerings and quality by moving its food service operations in house. It also concluded that this action would save the Bureau an average of \$1 million dollars a year – roughly \$5.2 million over the next five years.

Coincidentally, in May 2020 – shortly after the Bureau conducted this study – its outside food service vendor threatened to cut off service within 10 days if certain conditions were not met. Then, it began taking preliminary steps to close out its operations at Bureau facilities. Rather than wait for the outside vendor to walk out on terms of its own choosing, the Bureau notified the vendor that its services would no longer be required.

In just under 10 days, the Bureau found a local food service provider with institutional experience as well as a local food supplier, both of which had years of experience doing business with the Government. Planning and foresight allowed Bureau managers to pivot and quickly take action to bring our food service operations in house. Although there have been minor

challenges as we make this transition, this is a win-win situation for the Bureau, its inmates, and the Virgin Islands economy.

b. Consent Decree Matters

Our FY 2021 budget also includes \$715,000 for fees to monitors and experts who we are legally mandated to pay so long as the consent decrees remain in effect. Clearly, the sooner the Government can finally resolve these cases, the sooner it can eliminate these costly consulting and monitoring fees. On average, the Bureau is spending roughly \$59,583 each month in fees to monitors, experts, and consultants to ensure compliance with these federal consent decrees. Bear in mind that there are 2 separate consent decrees: one covering conditions of confinement at John Bell and the other covering the St. Thomas Jail.

1. St. Croix Case

The Territory continues to make substantive progress toward full compliance with the 2012 Settlement Agreement (also “consent decree”) governing conditions of confinement at John Bell. As of the April 4, 2020 report, the independent monitor observed that the Bureau achieved overall progress with all 123 substantive provisions of the Settlement Agreement, despite the few non-substantive provisions that remain in non-compliance. Compliance ratings were upgraded for 25 consent decree provisions and – importantly – no provision was downgraded to noncompliance.

But achieving full compliance with the consent decree at John Bell is hampered by matters beyond the Bureau’s control, such as “inadequate staffing levels, poorly designed and aged facilities, and budgetary challenges.” Dr. Kenneth A. Ray, Court-Appointed Independent Monitor’s 21<sup>st</sup> Compliance Report (dated April 4, 2020) (filed in *United States v. Government of Virgin Islands*, Civil No. 1:86-cv-0265, ECF Doc. # 1166-1).



## 2. St. Thomas Case

The 2013 Settlement Agreement (also “consent decree”) covering the St. Thomas Jail presents a greater challenge, partly because there is neither a neutral, independent monitor nor clearly defined, measurable benchmarks to objectively assess progress. Remember the progress number I just gave you for the St. Croix consent decree case? Well, because of the way the St. Thomas consent decree case has been historically structured, after 26 years there is no way to tell which provisions of the Settlement Agreement have been upgraded or downgraded and which have achieved overall progress. Last year, we asked the court for clearly-defined, measurable benchmarks that will help us objectively assess where things stand in that case.

The Territory is making progress toward achieving full compliance with a series of court-ordered remedial provisions. After years of non-compliance, the court on April 22, 2020, outlined near-term, mid-term, and long-term tasks for the Virgin Islands to achieve compliance with the 2013 Settlement Agreement.

### c. Greater Reliance on Grants and Alternative Funding Sources

Overall, the changed budgetary landscape means that the Bureau must squeeze more out of every dollar appropriated and be creative in finding alternative sources of revenue. We intend to maximize the use of federal grant money.

In fact, over the past few months the Bureau identified – and unlocked – close to a million dollars in federal grant monies that have been sitting in accounts – unspent – for over 8 years. That breaks down to roughly \$803,000 from unused State Criminal Alien Assistance Program grants (“SCAAP grants”) going back to 2012, plus another \$154,000 from a 2009 SCAAP grant awarded when the Bureau was still under the Department of Justice. We intend to use these funds to improve training, including pre-service and in-service training; upgrade

outdated correctional officer equipment; fund our re-entry programs; and generally improve conditions of confinement for our inmates. Furthermore, in December 2019, the Bureau received a \$346,000 Department of Agriculture Telemedicine Distance Learning grant. Those funds will be used to purchase needed computers and upgrade and secure our computer network to facilitate telemedicine, telepsychiatry, and other remote technologies.

On the creative side, the Bureau is considering how it can develop prison industries that can both augment revenues and cut costs while making it less dependent on appropriations from the General Fund. As I will discuss later, the Bureau eventually plans to grow its own food for its inmate population and sell surplus food to the public.

We are also exploring how we can best tap into community support for correctional officers and inmate rehabilitation by creating an auxiliary, nonprofit, tax-exempt organization to accept donations from the community. This has been done for years by mainland correctional departments as a way of reducing departmental expenditures. Every dollar donated to this entity would be one dollar less that the Bureau must spend from the General Fund.

#### Accomplishments and Initiatives During Last Fiscal Year

Please allow me to share with you a few of our significant achievements since I came before you last year.

##### A. Successful Implementation of COVID-19 Protocols

From any vantage point, our most significant achievement over the past year has been keeping the coronavirus out of Bureau facilities. Through careful planning, foresight, and the tremendous efforts of our dedicated correctional professionals, I am happy to report that all Bureau facilities have thus far remained COVID-19 free. In fact, not a single inmate in Bureau custody, whether housed locally or off-island, has been diagnosed with the coronavirus since the

pandemic began. This is an accomplishment for which the Bureau can rightfully be proud. I want to especially thank the Bureau's medical team, led by Dr. Linda Callwood, our medical director, for the yeoman's work they've done in this regard.

The Virgin Islands Bureau of Corrections was among the first correctional agencies nationwide to implement COVID-19 protocols at its facilities. The Bureau issued its protocols on March 13, 2020, the same day that both the President of the United States and Governor Albert Bryan, Jr. declared national and territorial states of emergency – and only 2 days after the World Health Organization proclaimed the novel coronavirus a global pandemic.

The Bureau's early COVID-19 response saved lives.

That response included:

- suspending in-person visitations, inmate work details, and contractor visits;
- quickly procuring Personal Protective Equipment ("PPEs"), sanitizer, and other protective equipment from national and local sources;
- isolating new inmates and detainees for 14 days to prevent contamination in the general prison population;
- performing temperature checks and verbal screenings on all staff and new inmates to assess the risk of infection;
- beefing up sanitation at each facility and increasing the frequency of cleanings;
- posting signs at its facilities informing staff and inmates of coronavirus symptoms and prevention;
- recommending to the courts and police that they consider alternatives to incarceration for certain pre-trial detainees charged with low level, nonviolent offenses; and

- offering free video visitations, text messaging, and phone calls to inmates so that they would remain in touch with their families during the quarantine.

We are not out of the woods by any means. But compared to the coronavirus outbreaks in prisons and jails throughout the United States, the Bureau's record of remaining COVID-19 free is a major accomplishment. We have been proactive; we have been vigilant, and, thus far, we have been spared.

We will continue to collaborate with the Centers for Disease Control and Prevention ("CDC"), the V.I. Department of Health, and other state and local agencies to protect the health and wellbeing of inmates and staff who live and work in our facilities. We have proactively partnered with these agencies to design and implement a plan to prevent and combat any spread of COVID-19 in Bureau facilities – and will continue to do so until the threat posed by the COVID-19 pandemic has passed.

B. Designing and Implementing A Robust Re-Entry Program

Part of the Bureau's core mission is to prepare inmates for successful re-entry into society. But this crucial component of the Bureau's mission has been overlooked and ignored for far too long. Ignoring reentry programs for inmates is both counter-productive and self-defeating. In the long run, the best way to promote public safety is to give offenders an opportunity to learn the skills they need to succeed in society once they return to our communities. Last year, I advised this Committee that the Bureau would do more to develop and implement practical, re-entry programs for inmates. That's what we're doing.

We've consulted with an expert in rehabilitation programming to develop workflows and project manuals that give each inmate a personalized, re-entry road map. That road map will

show how the vocational, educational, and rehabilitation offerings at our facilities can ease their re-entry into society – as long as they’re willing to learn.

In May 2020, the Bureau partnered with the Center for Excellence in Life Learning of the University of the Virgin Islands (“UVI CELL”) to develop a \$750,000 grant proposal to create a new citizen re-entry program at John Bell. We also began conversations with UVI CELL to provide National Center for Construction Education and Research (“NCCER”) training. This will allow the Bureau to take full advantage of the facilities management plan grant, which requires NCCER trainers and which expires in September 2020. Last month we also applied for a \$500,000 Department of Interior Technical Assistance Program grant (“TAP grant”) to help fund our re-entry program.

If approved, these re-entry grants will fund 2 key technology initiatives. One is a pilot program, using the Edovo® inmate tablet system. That proposal would provide eligible inmates a secure computer tablet with programming that will allow them to complete their GED, learn life skills – including anger management, parenting skills, drug rehabilitation, and financial management – and earn vocational and educational certificates, which can be used to reduce their sentence. Rather than spending time in prison just watching television, our inmates will have an outlet to develop their minds and critical job skills and even earn credit towards a college degree.

The Edovo® tablet system is a virtual classroom and library in the palm of your hand, offering dozens of courses, hundreds of books, plus legal research. It emphasizes education over entertainment and does not charge inmates a fee for using the tablet. Education while incarcerated reduces recidivism by 43% and prepares inmates for success. Many of our inmates

never finished high school, so we are excited at the prospect of transforming our prison into a high-tech classroom, personalized to fit each inmate's specific needs.

(see <https://www.youtube.com/watch?v=5rZQ3F0ZJfY>; see also <https://www.youtube.com/watch?v=ZbUdGCZqlts&t=52s>).

The second technology initiative that will be funded by these re-entry grants is the heavy equipment training simulator. This initiative will rely on computers to train inmates to use cranes, backhoes, bulldozers, and other heavy equipment, then reward them with a heavy equipment operator certificate once they've successfully completed the program.

The Bureau recognizes the need to train returning citizens in high-paying, technical jobs. We are collaborating with the Department of Labor to help our inmates with technical skills find jobs once they return to our community. As an example, the Bureau recently awarded culinary certificates to three inmates who participated in a culinary program at John Bell. We have been collaborating with the Department of Labor to use the Second Chance Act to place these inmates in jobs where they can use these skills once they reenter society.

The Bureau's vocational programs will be focused in three areas going forward: aquaculture (such as tilapia farming), horticulture, and poultry farming. Concentrating on these areas not only opens avenues for prison industries but also reduces the Bureau's food costs. The products we grow can be sold to the public AND feed our inmates. We are in the process of developing a memorandum of understanding ("MOU") with the U.V.I. Cooperative Extension Service to provide technical assistance for these food-based, vocational programs.

In addition, last week we inaugurated the equine therapy program at John Bell, in partnership with the Virgin Islands Equestrian Equine Therapy Project (VIEETP). That project

will provide vocational training in horse care to eligible inmates. The goal is to provide both job skills and therapy to our inmate population.

C. Infrastructure Upgrades at John Bell & CJC

The Bureau has made several significant infrastructure upgrades at both facilities since its last budget hearing.

a. Dining Hall Renovations & New Kitchen Equipment at John Bell

We are especially proud that after six years, the project to renovate the kitchen and dining area at John Bell will be completed by the end of this month. That project began with the award of a Department of Interior grant in 2014 but was interrupted in 2017 after the hurricanes struck. It was stalled for more than two years once the contractor walked off the job. We put out a new request for proposals (“RFP”) and found a new contractor. For the first time in many years, our inmates at John Bell will soon eat in the inmate dining area.

In addition, the burners, stoves, and ovens in the kitchen at John Bell were rusting and unsafe, leading to a citation from the V.I. Department of Health in November 2019. We replaced them for the first time in over 20 years. One of our kitchen purchases is an industrial-grade ice machine that will make 1,500 pounds of ice per day. The Bureau no longer needs to spend \$185 each week buying ice (a savings of \$10,000 per year), and inmates now have a continuous supply of cold drinking water in their housing areas – especially critical during the hot summer months.

b. New Backup Generators at both Facilities

The federal consent decrees require that we have a reliable source of backup power at both facilities. Both of our facilities were plunged into darkness during Hurricanes Irma and Maria because the storms damaged or destroyed the generators at each facility. The Bureau learned the hard way that it cannot rely on a single generator as a backup source of electricity.

Remember that Bureau facilities never close; we need a reliable power source 24 hours a day, 7 days a week.

We've taken concrete steps to fix the backup power issues that have plagued both facilities. We ordered a new 900-kilowatt generator for John Bell – paid for with Public Finance Authority (“PFA”) funds – scheduled to be installed in September 2020. We are in the process of ordering a 500-kilowatt generator for CJC, the cost of which will be shared by the Virgin Islands Police Department. In addition, we recently purchased two 375-kilowatt diesel generators at a steep discount: one to back up the generator at CJC and the other to back up the 900-kilowatt generator that will be installed at John Bell. These steps to secure reliable backup power for both facilities demonstrate the Bureau's commitment to foresight and planning.

c. New Laundry Equipment at John Bell

We installed four new industrial-sized washing machines and dryers at John Bell, which replaced rusting, malfunctioning laundry equipment that impaired prison operations. These new machines are environmentally friendly and consume less water;

d. New Air Conditioning Unit at St. Thomas Jail

In May 2020, the Bureau selected a contractor to replace the air conditioning unit at the St. Thomas Jail. The malfunctioning air conditioning unit at the St. Thomas Jail needs constant repairs and was the source of complaints and grievances from employees. We anticipate that the new air conditioning unit will be installed within six months of the signing of the contract.

e. Medical and Mental Health Upgrades

In the last year, the Bureau has upgraded the way it delivers medical and mental health care to its inmates. First, the Bureau has begun converting X dorm at John Bell into a mental health unit for the exclusive use of chronically mental health patients. This has long been one of



the Bureau's aspirational goals because it allows quicker intervention and comprehensive treatment for inmates suffering from a mental illness.

The Bureau also made technology upgrades that have positively affected medical and mental health care. We now have a telemedicine and telepsychiatry capability. We also implemented the use of electronic medical records, which streamlines the management of patient records while reducing administrative costs and the risk of data loss.

Also, the Bureau recently repaired the dental chair and compressor and installed a new vacuum unit at John Bell. That means that inmates can receive dental care at the facility and no longer must be transported offsite to a private dental office. This saves money and correctional officer man hours.

Moreover, for the first time in recent memory, the Bureau has its full complement of mental health professionals. We have psychiatrists on staff at John Bell and the St. Thomas Jail and mental health coordinators at each facility. We also hired a health services administrator with extensive health care experience, a case management planner on St. Croix, and a mental health social worker on St. Thomas. Ensuring that the Bureau has a full complement of mental health professionals is critically important because jails and prisons have now become the largest providers of mental health services in the United States.

But the quality of medical and mental health care at our facilities would be deficient were it not for the extraordinary work of correctional nurses. Competent correctional nurses and nursing staff are the backbone of the way we deliver critical care to our inmate population. At the court hearing in August 2019, the monitor described the medical charts prepared by the John Bell nursing staff as "some of the best charts [he'd] ever seen." Transcript of August 1, 2019 Hearing at p. 112 in *United States v. Gov't of Virgin Islands*, Civil No. 1:1986-cv-265. We need

to make sure that we retain these nursing professionals by bringing correctional nursing pay up to parity with that of other nurses in the Virgin Islands Government. The starting salary for a registered nurse at the Bureau is \$46,500.00, even though the hospital pays \$63,000.00. That makes it extremely difficult to attract nurses to the Bureau.

#### D. Development of a 5-Year Strategic Plan in Partnership with UVI CELL

One of the most far-reaching developments at the Bureau over the last several months has been our partnership with UVI CELL to develop a comprehensive, 5-year strategic plan. The plan will help the Bureau focus on its vision and mission, identify its core values, and define goals and objectives with clear timelines. This initiative stems from the realization that the Bureau can never make meaningful progress – and achieve its long-term goals – if it is focused only on resolving day-to-day crises. We needed to figure out where we wanted to be as an agency in 5 years, and we needed a plan to get there.

In March 2020, the Bureau reached out to UVI CELL to help it develop short term and long-term agency goals, using key performance indicators (KPIs) as benchmarks to measure progress. At the end of this collaborative process, the Bureau will have a master plan that will point the way forward, including how to become a fully-accredited correctional agency that is finally and completely removed from all federal consent decrees.

Bureau managers realize that we can only improve as an agency if we make frank, no-holds-barred assessments of what needs to change at the Bureau – and that includes taking a candid look at how the Bureau’s culture prevents us from achieving our goals. Almost 10 years ago, a renowned security expert warned that the Bureau needed to “dramatically change the nature of its organizational culture,” which he described as “dysfunctional.” Dr. Jeffrey A. Schwartz, Jail Security Audit: St. Thomas U.S. Virgin Islands at 9, 27 (Oct. 14, 2011). Bureau

managers are optimistic about the potential for a real agency breakthrough and turnaround that this collaboration with UVI CELL can bring. We expect this plan to be completed by the end of September 2020.

#### E. Other MOUs

The Bureau is in conversations with the Department of Public Works (“DPW”) to develop an MOU that will use inmates to assist with roadside clearance. The details of this arrangement are still being negotiated. We anticipate that after the coronavirus threat has safely passed, carefully screened inmates would perform this work under the supervision of correctional officers. Both the inmates and the Bureau will be compensated for this service. This arrangement has the potential to cut costs for both the Bureau and DPW thereby conserving scarce taxpayer dollars.

#### F. Other Notable Accomplishments & Initiatives

Some of the Bureau’s other notable accomplishments and initiatives over the past year include the following, which are not listed in any order of importance:

1. Immediate Psychological Counseling for Correctional Officers – Because of job-related stress and other factors, correctional officers are at greater risk than the general population for developing stress-related illnesses, including those related to mental health. This has a downstream effect on correctional officer families. In a 2017 University of California study, more than ½ of correctional officers said they wanted greater access to mental health services.

The Bureau recognizes that the disruptions caused by COVID-19 – and the ever-present threat of an outbreak in prisons and jails – adds to correctional officer stress. In May 2020, the Bureau began encouraging correctional officers and other employees to sign up for free psychological counseling to help cope with job-related and other behavioral stressors. Unlike the EAP program, the psychological counseling offered by the Bureau does not require pre-approval and can be conducted almost immediately.

2. Successful Appeal of Alva A. Swan Annex FEMA Award Amount – Since Hurricane Maria destroyed the Alva A. Swan Annex in Subbase in 2017, the

Bureau has been in negotiations with the Federal Emergency Management Agency (“FEMA”) over funding to rebuild that facility. Last year, I reported that the Bureau was successful in convincing FEMA that the Swann Annex should be rebuilt rather than merely repaired.

FEMA initially offered the Bureau \$5.6 million to rebuild the Swan Annex. With the help of Witt O’Brien’s, the Bureau appealed that award and won, resulting in a new, interim award of \$15.9 million, roughly 3 times the amount FEMA initially offered. While we are grateful for the increased award, we believe that the true cost of completely rebuilding the Swan Annex is significantly higher, and we will continue to pursue an award amount that is closer to that true cost. The Bureau continues to work with Witt O’Brien’s to maximize FEMA awards for all hurricane-related disaster recovery projects, including the repair of the roof at John Bell.

3. Successful Completion of Parole Hearings in June 2020 – The Parole Board conducted its bi-annual parole hearing last month to consider inmates deemed eligible to apply for parole. The Board made use of video conferencing technology to interview off-island inmates as well as victims and their families who wished to testify. Many thanks to the members of the Parole Board for their commitment to public service, which made it possible for the Board to perform its essential functions successfully, despite the COVID-19 pandemic.
4. Full Implementation of Video Visitation at Both Facilities – The prompt suspension of in-person visitation at the beginning of the coronavirus pandemic played a major role in preventing the introduction of the virus in our facilities. The fact that we had a fully functional video visitation alternative made the decision to suspend in-person visitation that much easier. Judging by its widespread use, video visitation and electronic text messaging at our facilities has been a big success.
5. Video Arraignments and Advice of Rights – In collaboration with the courts, the Bureau began holding video arraignments and advice of rights in March 2020, when the coronavirus lockdown went into effect. This made it possible to keep the wheels of justice turning while minimizing the risk of exposure to COVID-19. It also reduces the correctional officer manpower needed to transport detainees to and from court, since these hearings are now conducted remotely at our facilities. We intend to continue this practice long after the pandemic has passed.
6. Completed Installation of New CCTV System at St. Thomas Jail – After a delay of more than 2 years, the Bureau has installed a new 100-camera, closed circuit television system (CCTV) at the St. Thomas Jail, paid for with PFA funds. These new cameras improve security and promote accountability.

7. Completed Contracting Process for Repeat Vendors to Facilitate Payment – Under my watch, the Bureau now requires that all vendors who regularly provide goods and services to the Bureau do so under a contract. Having a contract makes it easier get invoices approved by the Department Property & Procurement and paid by the Department of Finance. For small, local business who cannot afford delays in payment, the Bureau has been diligent in making sure that these businesses execute a contract, which expedites the payment pipeline.
8. Partnered with Public Schools to Mentor our Youth – The Bureau has partnered with 3 schools – Eulalie Rivera Elementary School and Arthur A. Richards Junior High School on St. Croix and Edith Williams Alternative Academy on St. Thomas – to help break the classroom to prison pipeline. The Bureau provides after-school programs and mentoring opportunities. The coronavirus forced us to cancel plans for a field trip for selected students at these schools.
9. Conducted Correctional Supervisors Training – In March 2020, the Bureau conducted a weeklong correctional supervisor training that taught essential skills for correctional sergeants and lieutenants. Those skills included: developing personal and professional goals; demonstrating leadership; managing conflict; thinking critically; providing discipline; and encouraging staff performance.
10. Substance Abuse Rehabilitation Program – The Bureau conducted a first of its kind substance abuse rehabilitation program at John Bell. That program consisted of 5 weeks of individual sessions and 7 weeks of group sessions. Six men and 3 women graduated from the program. We expect to continue this important work once the coronavirus threat has safely passed.
11. Repaired Perimeter Fencing at John Bell – The repairs to the perimeter fencing at John Bell are now 90% complete and should be completed by September 2020. This has been a long-term project that was stalled for several years.
12. Acquired New Vehicles to Improve Bureau Operations – In November 2019, the Bureau ordered several vehicles to be used for essential Bureau operations. We anticipate that those vehicles will be delivered in August. Many of the Bureau's vehicles were so old and worn that the Department of Property & Procurement requested that they be retired. Plus, there were not enough vehicles to safely perform Bureau functions. Until February 2019, for example, the Bureau had only 1 functioning vehicle for all of St. Thomas, which hampered its ability to get things done.

## Conclusion

Mr. Chairman, the Bureau continues to build on initiatives begun last year to streamline its operations while continuing to meet its core objectives. Some of those initiatives such as video visitations, telemedicine, and remote court appearances proved timely and became extremely valuable in helping the agency pivot after the coronavirus pandemic hit. We will continue to rely on new technologies to reduce costs and increase efficiency especially in this new era of budget cuts.

But new technologies are only as good as the people who use them. I am extremely proud of the hard work and solid accomplishments of the correctional professionals who make up the BOC team. We understand that the revenue shortfalls caused by COVID-19 mean that we must adapt, explore new sources of funding, and make do with less from the General Fund. We accept that challenge and look forward to working collaboratively with this body and other government agencies to continue to meet the needs of the people of the Virgin Islands.

Thank you for giving me the opportunity to share with you some of the progress that we are making at the Bureau of Corrections. With continued funding and support from this body, we hope to continue these initiatives that are moving the Bureau forward. My team and I are happy to answer your questions.